

REMARKS

Upon entry of the present amendment, claim 3 will have been amended while claims 1, 2, 4-6 and 8-10 will have been canceled. Claim 11 will have been submitted for consideration.

In view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant respectfully thanks the Examiner for acknowledging the Claim of Foreign Priority under 35 U.S.C. § 119 and for confirming that the certified copies of the priority documents have been received. Additionally, Applicant thanks the Examiner for considering each of the items of information cited in the various Information Disclosure Statements filed in the present application.

In the outstanding Official Action, the Examiner objected to the drawings because of an informality in Fig. 6. By the present Response, Applicant has submitted a revised version of Fig. 6 with the informalities eliminated therefrom. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding objection to the drawings.

In the outstanding Official Action, the Examiner rejected claims 1, 5 and 10 under 35 U.S.C. § 102(e) as being anticipated by McDONOUGH (U.S. Patent No. 6,452,959). Claims 2, 6 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McDONOUGH in view of KESKITALO (U.S. Patent No. 5,936,999). Finally, claims 4

P20550.A04

and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McDONOUGH in view of MIZUGUCHI et al. (U.S. Patent No. 6,373,881).

The Examiner indicated that claims 3 and 7 were objected to for depending upon a rejected base claim but would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims.

By the present Response and without in any manner acquiescing in the propriety of any of the Examiner's rejections, and solely in order to expedite the allowance of the present application, Applicant has rewritten claim 3 into independent form. Claim 7 remains pending thereon. Accordingly, at least for the reasons that the Examiner indicated that claim 3 contained allowable subject matter, it is respectfully submitted that the claims in the present application are now in condition for allowance. An action to such effect is respectfully requested and is believed to be appropriate.

By the present Response, Applicant has submitted new claim 11 for consideration. Claim 11 is a method claim relating to the subject matter of claim 3. It is respectfully submitted that claim 3 is also in condition for allowance.

Accordingly, Applicant respectfully requests entry of the present amendment and an indication of the allowability of all the claims pending in the present application.

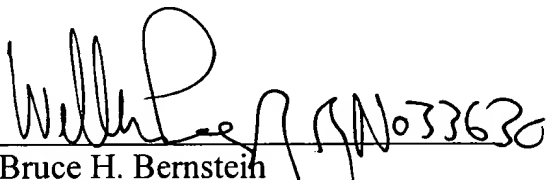
SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has rewritten an objected to claim into independent form (without acquiescing in the propriety of the asserted rejections) and has submitted a new claim drawn to a method that is based upon the indicated to be allowable independent claim. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Yuzo ETO

  
Bruce H. Bernstein  
Reg. No. 29,027

July 30, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191